

The Mind's Eye

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The Mind's Eye welcomes contributions. Your research, comment,
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The Editor's File

DEALING WITH EVIL

by Charles A. McIsaac

On April 20, 1978, Adolf Hitler would have been 89 years old. He died thirty-three years ago by his own hand at the age of 57 after wreaking in his short lifetime the greatest and most mysterious havoc of any man in the history of the world. He led a great nation into murderous lunacy, precipitating a world war which took the lives of a generation of young men on both sides of the conflict and whose total human cost has been calculated in the order of 55 million dead. Through the operations of his infamous secret police, the Gestapo, and the more secret, elite SS, and the death camps which are his most obscene monument, he exterminated an unknown number of real and supposed opponents of his regime. The number of dead exceeded 12 million, six million of whom were Jews--two-thirds of European Jewry--killed in the atrocious Final Solution, the culmination of Hitler's lifelong anti-Semitism. The attempt totally to eradicate a portion of the human race was a crime of unexampled historical proportions. It was the first time in modern history that genocide was made thinkable.

Hitler was an unmatched paradigm of evil. In the wave of relief which swept over the world at the end of the war, there was a delusionary moment of comfort in believing that with his defeat and death we were done with the evil that lurks in mankind and manifests itself continually at every level of society, from familial murder to police brutality to official imprisonment and torture of political dissidents and to that ultimate insult to humanity, war between nations. But the lesson is otherwise: three decades of tumult among peoples and of the menacing buildup of end-of-the-world armaments by the great powers demonstrate that we have learned little. Nor has it yet sunk into our consciousness that our national honor was permanently tarnished by our degrading Vietnamese experience.

Thus it is not curious that the Hitlerian mystique has perdured. Evil ranges over the world as it will, defying our good intentions. On April 20, under cover of the well-intentioned American Bill of Rights, members of the American Nazi Party will march for Hitler's birthday in Skokie, Illinois, a city on the northern edge of Chicago heavily populated by Jews--many of them survivors of Hitler's death camps--in a demonstration of unreconstructed anti-Semitism staged in the presence of Semites. The city of Skokie has tried to avert this unseemly event by the application of ordinances forbidding the demonstration. The Nazis went to court, represented by the American Civil Liberties Union, and won the right to march on the grounds that the First Amendment sanctions their free expression of opinion.

This issue of the Mind's Eye is devoted in considerable part to analyses of this agonized question. Anthony Gengarelly, who took his life in his hands in the dangerous struggle for black civil liberties in Mississippi in the mid-1960s, dispassionately presents the case for First Amendment free speech guarantees, despite his utter revulsion from Nazism. Ellen Schiff cogently argues that the march should be stopped because there is no historical or ethical question about the character of Nazism: it is pure and simple evil and, by its deeds, has proved itself to be a death-dealing threat to civilized society.

For his own part, the editor wishes the Nazis could be waved out of existence; to borrow a phrase, Nazis seem not to have any redeeming social value. Would it were that simple. Were we to try to outlaw them, would it not be the moral equivalent of extermination? Extermination does not work. Hitler failed at it. To our everlasting discredit, we tried something of the sort with the Vietnamese. We lost.

SKOKIE, ILLINOIS: FREEDOM ABUSED OR FREEDOM PRESERVED?

by W. Anthony Gengareilly

On a balmy October day in 1963 I stood on a corner in Greenville, Mississippi, distributing fliers which announced a voter registration rally for black citizens to be held that evening. The street was full with a homecoming parade which featured segregated bands and floats, blatant reminders of a centuries-old caste society. Clearly I did not fit the prevailing mood. Black people took my leaflets grudgingly, quickly folded and put them out of sight, then continued watching the parade. With some degree of difficulty I tried to ignore the angry white faces around me. I can not recall, much to my good fortune, having ever been, before or since that time, so uneasy and fearful. The hostile looks came from people conditioned by fear and hatred of anything or anyone that dared challenge the intolerant premises of a segregated system of racial inequality. I was perceived as a disrupter, a disturber of the peace, and a threat to the good order of that quiet southern town.

Many who opposed the work of civil rights organizations during the early Sixties called them "communistic" and claimed they were inciting racial hatred and social conflict. Viewing our voter-registration team from this perspective, the citizens of Greenville were understandably disturbed by our presence and would like to have silenced us. But they were law-abiding folk in this part of the state and they let us be. Whatever qualms I have subsequently had about thrusting my values on people who were hardly receptive to them have been partly assuaged by the belief that disturbing a community's equilibrium is sometimes unavoidable in order to rightly challenge a prevailing, unjust consensus. (I might add that a good many other people during this time made the case for racial equality better than I; nonetheless, it was necessary for a combination of arguments to be made.)

The minority's freedom to protest under circumstances where the majority is openly hostile is therefore crucial for our democracy and is guaranteed by the speech-protective interpretations of the First Amendment. Without the support of the law of the land, I do not think I would have escaped as I did--unharm--on that mild October afternoon, nor would the subsequent triumph of the black civil rights movement in 1964-1965 have been possible.

Ironically, the early efforts to advocate black rights in the midst of "enemy territory" were guarded by the same constitutional liberties now being evoked in defense of a band of Nazi racists who are in many ways similar to the redneck bigots encountered years ago in Mississippi. With regard to the impending Nazi march through Skokie, Illinois--planned as a celebration of Hitler's birthday, April 20--the courts so far have come down most emphatically on the side of minority rights. A recent decision by U.S. District Judge Bernard M. Decker upholding the right of a few dozen Nazis to demonstrate in, and thus to antagonize, a predominantly Jewish neighborhood reflected both sides of the question. Judge Decker registered his distaste of the Nazis: "In resolving this case in favor of the plaintiffs (the Nazi Party), the court is acutely aware of the very grave dangers posed by public dissemination of doctrines of racial and religious hatred." But his conclusion recorded a libertarian judgement: "Freedom of thought carries with it the freedom to speak freely and to publicly assemble to express one's thought."

The issue here is certainly not simple. Legally speaking, it is a question of weighing potential harm to the public stability from "opinions . . . we loathe and believe fraught with death" over against the danger of subverting vital

constitutional freedoms. Ever since the passage of the Espionage Act in 1917 in the heat of World War I, this issue of order versus freedom has been argued back and forth in legal and academic circles. Nearly all judges and scholars have tried to establish a fair delimitation of the discrete areas properly belonging to community welfare and individual expression. The problem always is: where to draw the line? We do have some examples from the past, but the most definitive decision to date has been the 1969 Supreme Court declaration in Brandenburg v. Ohio. As Professor Gerald Gunther of the Stanford University Law School has pointed out, the Brandenburg decision upheld and, in fact, established two mutually supportive speech-protective doctrines: a) speech which does not directly advocate illegal action is permissible; b) to be proscribed by law, speech inciting illegal action also has to be put forward in such a manner and under such circumstances that it will obviously and immediately cause an unlawful disturbance of the peace and good order. In the words of the Supreme Court:

The Constitutional guarantees of free speech and free press do not permit a State to forbid or proscribe advocacy of the use of force or law violation except where such advocacy is directed to inciting or producing imminent lawless action and is likely to incite or produce such action.

This is the law upon which Judge Decker's decision in the Skokie case was most likely based. The judge has evidently concluded that the overt laceration of Jewish people's psychological wounds by a group of perverted fanatics is not an incitement to law breaking, even under potentially volatile circumstances. Thus, he has set aside local ordinances forbidding the march because they were adjudged to be violations of the First Amendment. According to the decision, the Nazi demonstration does not break the law, but any attempt to prevent or disrupt such activity, however reprehensible, does. When the date for the march arrives, one can only hope that Judge Decker's discernment of the situation's potentialities has

been accurate and his judgment correspondingly valid in terms of First Amendment guarantees measured against the Skokie community's welfare.

Despite our obvious misgiving about the defense of advocacy which embraces political obscenities, without broad constitutional speech protection the advancement of good and just causes in the face of a hostile majority is also imperiled. We cannot, it seems, have it both ways. Often, we must risk one thing to save something else. Thus, the legal determinations may be correct in the Skokie case when they tell us not to compromise constitutional liberties, even to justifiably accommodate an outraged community. Certainly, the civil rights activity fifteen years ago would have been abruptly cut short if local control had been allowed to determine who could or could not speak freely. Yet, the obvious immorality of the impending Nazi demonstration hurts and outrages us. It must be the better part of absurdity that a celebration of the Holocaust will most likely proceed under protection of the law, while a harmless procession of nude figures down the same streets might very well be disallowed on the grounds of indecent exposure. Nonetheless, what has to be discerned in every case involving free speech is the real threat to our democratic values and republican system. Is it the demonstration of a few dozen recognized lunatics assembled for a bizarre tribute to the Hitlerian devil? Or is it the understandable and well intentioned desire to outflank the Constitution as a speech-protective document in order to silence them? For those impaled on the horns of this dilemma, the concluding words in Judge Decker's decision may provide some small consolation: "The ability of the American society to tolerate the advocacy even of the hateful doctrine espoused by the plaintiffs without abandoning its commitment to free speech and assembly is perhaps the best protection we have against the establishment of any Nazi-type regime in the country." Advocates of political terror in American society, if given enough rope, have a pretty good record of hanging themselves.

NOT IN SKOKIE, NOT IN AMERICA--NEVER AGAIN!

by Ellen Schiff

"During the Second World War, Sol Goldstein lived in Lithuania, where Nazis threw his mother down a well with 50 other women and buried them alive in gravel. Today he lives in Skokie, Illinois, where on April 20 Nazis wearing brown shirts and swastikas will demonstrate to celebrate Hitler's birthday." So George F. Will began a recent article entitled "Nazis and the First Amendment."

Since sixty percent of Skokie's 70,000 residents are Jews, and 7,000 of these are death camp survivors, this latest manifestation of a Nationalist Socialist group is, characteristically, neither devious nor ambiguous. It would be reassuring to find evidence of the same kind of clear thinking and steadfastness to professed goals on the part of those ultraliberals who are waging a successful campaign in behalf of the Nazis' constitutional right to public displays like the one planned for Skokie.

The prerogative of any group to disseminate its doctrine is, of course, guaranteed by the First Amendment. The sense of that amendment is to ensure a society which draws its strength from the free exchange of conflicting ideas. A corollary of the position that all ideas are welcome contenders in a democratic forum is the affirmation that any of these ideas has the right to prevail. Are the supporters of the Nazis' franchise to free speech prepared to accept the possibility of Nazi predominance?

Those who defend the National Socialists' title to have their say because they feel secure that the Nazi position is too extreme to gain enough adherents to pose any threat to this country cannot have been paying attention to history. "Hitler," Lucy Dawidowicz reminds us, "came to power legally, exploiting the letter of the law to subvert the law. Sensible people were sure that Hitler

could not last long, that decency, rationality, and political order would--must--reassert themselves." For what reason should we find the United States different, or impervious?

The First Amendment has worked so well for so long in safeguarding the general welfare that it might seem reasonable to expect it to be reliable in exposing the Nazis for what they are. Such a hypothesis is based on the assumption that the Nazis are no different from any other zealous faction bent on advancing its cause. Nothing could be further from the truth.

Supporters of unrestricted free speech rightly point out that the rivalry of ideas guaranteed by the First Amendment is certain to disturb, antagonize and offend people. Bruised intellectuals and defeated ideals notwithstanding, the winner is supposed to be the general welfare. The civil rights movement provides a ready example. Here a minority of citizens exercised their First Amendment title to challenge a system which denied the constitutional rights of other citizens to various liberties, personal freedoms and individual dignity. It is next to impossible to draw a parallel between the goals of the civil rights crusaders and those of the American Nazi Party. The Nazis do not profess the slightest interest in the moral application of the law of the land which, ironically, is currently being invoked to protect them. They would destroy that law. Nor are they, at least at the moment, concerned with reforming public opinion. Were that their goal, they would stage their demonstration in Washington or Berkeley or in Harvard Square.

The Skokie demonstration is naked terrorism. It flaunts the right of the bestial to torment victims. It feeds the appetites of onlookers who revel in

bigotry they dare not proclaim quite so blatantly. How does the granting of constitutional protection for harassers to plague hapless citizens conform to the "right of the people peaceably to assemble" explicit in the First Amendment, or to the morality and general welfare implicit in it?

In the conflict now swirling about the Skokie issue, the difference between the Nazis and other extremists who breed hatred and foment persecution has been all too easily glossed over. For example, when President Carter was asked at his January 30 press conference if he planned to interfere at Skokie, he replied laconically, "There's no need to. We have this same sort of situation with the Ku Klux Klan." Such an equation is astonishingly naive. Nazism has richly earned the right to be regarded as unique. The Holocaust is an incommensurable example of radical evil. To compare Nazis to other fanatics is to underestimate the former in a most dangerous manner.

The threat posed by the Nazis at Skokie far exceeds a nightmare for American and world Jewry. Perhaps the most consequential aspect of Skokie is the challenge it hurls at public awareness. Can we have forgotten that the Nazi leaders brought to trial at Nuremberg were charged, not with anti-Semitic persecution, but with transgressions of international law and with crimes against humanity? Less than half of the more than 12 million exterminated by the Nazis were Jews. The others were Catholics, Protestants, liberals, communists, gypsies--people of any stripe who were considered dispensable.

The American Civil Liberties Union, without whose support the Skokie demonstration could not materialize, and liberals who share the Union's views might do well to borrow a Nazi procedure and to think their position through to its logical conclusion. Those who would encourage, or even tolerate, propagation of Nazi ideology in the United States had best be prepared to take their chances in a country which celebrates Hitler's birthday instead of the Fourth of July.

NORTHERN IRELAND: A PERSPECTIVE

by Thomas A. Mulkeen

Things thought out too long can be no longer thought, for beauty dies of beauty, worth of worth, and ancient lineaments are blotted out, irrational streams of blood are staining Earth.

W. B. Yeats

I sometimes look at my little granddaughter Bernardine and I think, well I sometimes think, if she'll ever understand? My son-in-law Bernard Watt was killed on Butler Street on February 5, killed by British soldiers. Bernardine's the daughter he has never seen. And my son Joe, Jr., oh Lord, killed by soldiers too. . . .

Joe Parker--recently released from an internment camp in Northern Ireland

British leaders historically have seen Ireland as a country which might threaten England's safety were it allowed the freedom to fall into unfriendly hands. To secure the island, the British rooted an alien Protestant society in Ulster and forced the native Celtic population to settle in the sparse and barren lands of western Ireland. During the seven hundred years of British rule most of Ireland's traditional Celtic life was crushed, and whole generations of Catholics fought for survival against the harshness of the land and the oppression of the English.

The plantation of Ulster segregated a predominantly Protestant industrial northeast from an overwhelmingly rural Catholic south. (The words "Protestant" and "Catholic" are used throughout this essay in the sense in which they are used and understood in Northern Ireland, roughly to characterize the majority and minority communities there.) As a result, the two parts of Ireland evolved in

different cultural and religious directions. Gladstone's alliance with Parnell and his introduction of home rule legislation in 1886 and 1893 was bitterly opposed in northern Ireland. The vast majority of Protestants in the north believed that self-government in a united Ireland, in which they would always be a minority, would menace their religion, way of life, and economic interests. When the third home rule bill was introduced in 1912 its opponents in Ulster were organized for resistance. A volunteer force was raised for political and military service, a provisional government was formed, and a consignment of arms was brought over from Germany. Only the outbreak of World War I prevented civil war in Ireland.

Four times in the last century of rule from London, Ireland has been the scene of rebellions by nationalists seeking to liberate the island from British domination. Militant Irish nationalists rejected home rule and the leadership of the Irish parliamentary party. During World War I they changed the political situation in Ireland. In the 1916 Rising and the years of strife that followed modern Ireland was born. The Anglo-Irish treaty of 1921 partitioned the country. The twenty-six southern counties were granted their independence, while Northern Ireland was formed to save the strategic British position in Ireland. Under partition Protestants were given the largest area they could control, the six northeast counties. Today, after ten years of renewed violence, it is evident that partition shelved but did not solve Britain's "Irish Problem." The end of partition became the exclusive aim of Irish foreign policy, while a whole generation of Irish citizens grew up amid the "myths" of the Easter Rising. There was always the constant reminder that the object for which the men of 1916 sacrificed their lives, a free and united Ireland, had still not been achieved.

The settlement of 1921 drew the border in such a way as to include within Northern Ireland a substantial Catholic minority whose members became, and remained, an oppressed people under an unsympathetic

government. For fifty years the Protestant Unionist Party held absolute power. Until the end its record was marked by extreme prejudice against Roman Catholics. There was discrimination in jobs and housing. Catholics were interned without trial and abused by the Protestant-controlled police. The belief of Protestants that the Catholic minority was a threat to the whole settlement of 1921 gave them a cohesiveness that enabled their leaders to retain power through a system of political and economic injustice. The British government, mindful of its strategic interest, left Northern Ireland to its own devices.

After almost fifty years, this unsupervised ascendancy was challenged by the Catholic civil rights movement and the resurgence of the I.R.A. Late in the 1960s the civil rights movement attempted to win equal rights for Catholics through peaceful demonstration. The Protestant response was brutal and violent. Marches were interrupted and Catholics were beaten while the police stood by. Obligated to pay attention again, the British tried to introduce gradual reforms through their Protestant agent, the Northern government. They failed. The result was sectarian rioting. In August 1969 British troops intervened in Belfast and Derry to separate the two communities. A further series of reforms imposed from England again failed to give Catholics a real share in power or status. As the promised reforms fell short and the violence mounted, the British Army became the guardian of the existing Protestant political structure. The long-dormant Irish Republican Army saw its chance and reappeared. A brutal urban guerrilla war between the I.R.A. and the British Army was the result. Innocent men, women, and children were killed, the victims of stray bullets and vicious bombs. The internment of Catholics without trial and the torture of I.R.A. suspects served to increase the violence and alienate the whole minority community.

On a Sunday afternoon in January 1972 thirteen civilians were shot to death by British troops during a civil rights march. "Bloody Sunday" confronted British

ministers with the real implications of their policy in Northern Ireland. Young soldiers trained to be brutal cannot always act with restraint. It finally became obvious to the British that a fresh beginning had to be made. That March, Prime Minister Edward Heath rose in the House of Commons to announce that he had suspended local government in Northern Ireland. He effectively declared unsupervised British rule in Ulster a failure and announced that henceforth Britain would exercise complete political control over the province. Heath also proclaimed that Catholics were to have an active, permanent, and guaranteed role in the life and public affairs of Northern Ireland.

Given the history of Northern Ireland, London's assumption of direct rule over the scarred and bloody province merely promised that more British lives and money would be spent there with little assurance of peace. Every attempt to find a power-sharing formula has been preceded by a campaign of assassination, bloodshed, and violence that has forced the people of both communities to live in an intensifying cycle of mutual fear and terror. Extremists from both communities have demonstrated an immense power to destroy political solutions and to inhibit cooperation between moderate Catholic and Protestant leaders. Militant Protestants, prompted by the fear that power-sharing was the first step toward eventual union with the Republic, have been openly hostile to British policy. Like the I.R.A. they are armed and openly engaged in a campaign of violence and terror. In the spring of 1974 they organized a general strike which crippled the economy of Northern Ireland. The I.R.A. in turn has declared war on the British initiative and launched a bloody campaign of violence and terror. Six years after the British announced their new initiative--and notwithstanding the award of the Nobel Peace Prize to two Irish women in 1977--peace seems as far off as ever.

Perhaps there is no hope of a solution. So many sad and tragic events in the course of four centuries have driven discord so deep into the body politic that

accommodation may prove impossible. For in Northern Ireland there seems to be no future--"only the past happening over and over again."

This is the first of two articles. The concluding installment will review the evolution of the attitude of the government of the Republic of Ireland toward Northern Ireland.

CONVERSATION AT THE FUNERAL OF MARTIN LUTHER KING

Ten years ago a black Texan and a white northerner stood among the pensive thousands who waited for Martin Luther King's body to be brought from the Ebenezer Baptist Church. They spoke.

Black: Mind if I ask you why you came to this?

White: Well, because I think that Martin Luther King was the greatest man in the country--at least, I can't think of a better one--and I had to come here to do the grief. Why'd you come?

Black: Same reason.

White: Who's going to take his place?

Black: Nobody. There just isn't anybody. It'll take years to grow another one.

---CAM

Contributors

W. Anthony Gengareilly, Assistant Professor of History, is writing a book on the post-World War I Red Scare.

Ellen Schiff, Professor of French and Comparative Literature, has particular interests in contemporary drama and ethnic literature.

Charles A. McIsaac is Director of Library Services.

Thomas A. Mulkeen, Professor of Education, did his doctoral work in Irish history.